

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

Ray Garcia,)	
)	
Petitioner,)	Case No. 3:10-cv-76
)	
-vs-)	
)	
Wardon Redmann,)	ORDER FINDING REPORT AND
)	RECOMMENDATION MOOT
)	
Respondent.)	
)	

The Court has received a Report and Recommendation from the Honorable Karen K. Klein, United States Magistrate Judge, pursuant to 28 U.S.C. § 636, recommending that Petitioner Ray Garcia's application to proceed *in forma pauperis* be denied (Doc. #4). The basis for the magistrate judge's decision was that Garcia had sufficient funds to pay the \$5.00 filing fee.

On September 2, 2010, Garcia paid the \$5.00 filing fee. The Court, therefore, finds both Garcia's motion for leave to proceed *in forma pauperis* (Doc. #2), and the magistrate judge's Report and Recommendation addressing the motion (Doc. #6) **MOOT**.

IT IS SO ORDERED.

Dated this 7th day of September, 2010.

/s/ Ralph R. Erickson
Ralph R. Erickson, Chief Judge
United States District Court